

**RESOLUTION NO. \_\_\_\_\_, SERIES 2008**

**A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE METRO GOVERNMENT TO ACCEPT THE ASSIGNMENT OF A CONSERVATION EASEMENT FROM THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT, ON PROPERTY OWNED BY THE TRINITY HIGH SCHOOL FOUNDATION, AND SHOWN IN EXHIBIT A HERETO.**

**SPONSORED BY: COUNCILWOMAN VICKI WELCH**

WHEREAS, the Louisville and Jefferson County Metropolitan Sewer District is the holder of a conservation easement on property located south of Outer Loop approximately across from its intersection with Grade Lane, on property owned by the Trinity High School Foundation, more particularly shown in Exhibit A hereto, which property stands as part of a jurisdictional wetland and certain wetland and floodplain mitigation areas, and features significant emergent, scrub-shrub, and bottomland hardwood forest wetland habitat in the Pond Creek watershed in southern Jefferson County, and,

WHEREAS, the property possesses natural, scenic, wetland and open space values of importance to the owner, the Louisville/Jefferson County Metro Council Metropolitan Government ("Metro Government"), the people of Louisville Metro, and the people of the Commonwealth of Kentucky, which if preserved will yield significant public benefits, including the preservation of significant wildlife and plant communities, historic and cultural information, open space and agricultural land in a developing area of Louisville Metro, and,

WHEREAS, pursuant to KRS 382.800 et seq., Metro Government is authorized to accept easements to preserve historical, agricultural, archaeological or cultural aspects of real property in Kentucky, and is qualified to accept such easements under Section 170(h) of the Internal Revenue Code, and,

WHEREAS, the Louisville and Jefferson County Metropolitan Sewer District wishes to assign and the Council wishes to accept the conservation easement, and,

WHEREAS, the Metro Council desires to authorize the Mayor on behalf of the Metro Government to accept the attached Deed of Conservation Easement on the Franny Aprile Family Limited Partnership property on behalf of Metro Government;

**NOW THEREFORE BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**Section I:** The Mayor is hereby authorized to accept and execute the attached Assignment of Conservation Easement on property identified in Exhibit A hereto.

**Section II:** This Resolution shall take effect upon passage and approval.

\_\_\_\_\_  
Kathleen J. Herron  
Metro Council Clerk

\_\_\_\_\_  
Jim King  
President of the Council

\_\_\_\_\_  
Jerry Abramson  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_